IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO : 7117 of 1995

Between:

The Stone Quarry Labour Coop. Society rep.by its President K.Kotaiah
Gollenpaud, Wyra Mandal, Khammam Disst.,

..... PETITIONER

AND

1 The District Collector,
Khammam
2 The Mandal Revenue Officer,
Wyra Mandal
3 The Mandal Revenue Inspector,
Wyra Mandal
4 The Village Admin., Officer
Gollenpadu Wyra Mandal,
Khammam Dist.,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate Writ or order or direction in the nature of a Writ declaring the impugned attachment order in Form-I of the 3rd respondent dt.15.3.1995 as illegal, irregular, arbitrary, as made without jurisdiction and in contravention of the provisions of the A.P. Revenue Recovery Act, 1864 and in violation of the principles of natural justice and to set aside the same.

Counsel for the Petitioner: MR.J.V.PRASAD

Counsel for the Respondents 1 to 4: None appears.

The Court made the following:

ORAL ORDER:-

Nobody appears for the respondents. Counter has not been filed. Attachment order dated 15-03-1995 is challenged in this writ petition. The main ground is that the petitioner-Society is not in arrears. Since this factual assertion have not been controverted by the respondents, therefore, on this ground alone, the writ petition is to be allowed. Attachment order dated 15-03-1995 is quashed. Accordingly this writ petition is allowed. No costs.

This court is feeling case after case that no assistance is provided by the learned Government Pleaders. Counters are not filed. Government Pleaders do not appear in the court when the matters are taken up and adjourned day after day just to enable the Government Pleaders to appear in the Court. This is a serious matter, which the Government needs to consider. Let a copy of this order be served to the Chief Secretary to Government, Government of Andhra Pradesh, Hyderabad for his information.

BILAL NAZKI

Dt. 23-09-2004

Pvks/*

The Rule nisi has been made absolute, as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this the Thursday the twenty third day of September, 2004.

To

1. The Chief Secretary to Government, Government of Andhra Pradesh, Hyderabad.

2. The District Collector,
   Khammam
3. The Mandal Revenue Officer,
   Wyra Mandal
4. The Mandal Revenue Inspector,
   Wyra Mandal
5. The Village Admin., Officer
   Gollenpadu Wyra Mandal,
   Khammam Dist.,

6.2CCs to the Government Pleader for Revenue, A.P. High Court Buildings, Hyderabad (OUT).

7.2CD copies.

*Form-NIC-OGS/WP{**ESWAR**}*